

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

TSANN KUEN (ZHANGZHOU)
ENTERPRISE CO., LTD.,

Plaintiff,

v.

ALAN J. SUTTON, et al.,

Defendants.

Civil No. 12-4471 (RMB/AMD)

SCHEDULING ORDER

This Scheduling Order confirms the directives given to counsel at the scheduling conference, via telephone, pursuant to Rule 16, Federal Rules of Civil Procedure on December 4, 2012; and the Court noting the following appearances: Kun Zhao, Esquire, appearing on behalf of the plaintiff; and Andrew R. Brosnick, Esquire, appearing on behalf of the defendants; and good cause appearing for the entry of the within Order:

IT IS this **4th** day of **December 2012**, hereby **ORDERED**:

1. The parties shall make FED. R. CIV. P. 26(a) disclosures on or before **December 11, 2012**.

2. Plaintiff's counsel shall forward a letter to the Court by **January 15, 2013** stating that the parties have conferred pursuant to L. CIV. R. 26.1(b)(2) and 26.1(d) concerning discovery of digital information and advise whether the parties have agreed on computer-based and other digital discovery matters.

3. Initial written discovery requests shall be served by **January 15, 2013**. Any responses, answers and objections to initial written discovery requests shall be served in accordance with Court Rules.

4. The Court will conduct a telephone status conference on **February 21, 2013 at 10:00 A.M.**. Counsel for plaintiff shall initiate the telephone call.

5. The time within which to file a motion to amend the pleadings or a motion to join new parties will expire on **March 15, 2013**.

6. Pretrial factual discovery is hereby extended to

April 15, 2013. All pretrial discovery shall be concluded by that date. All discovery motions and applications pursuant to L. CIV. R. 37.1(a)(1) shall be made returnable before the expiration of pretrial factual discovery.

7. **Depositions.** All depositions are to be conducted in accordance with the procedures set forth in the order of Judge Gawthrop, in *Hall v. Clifton Precision*, 150 F.R.D. 525 (E.D.Pa. 1993).

8. All expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) on behalf of plaintiff shall be served upon counsel for defendants not later than **April 15, 2013**. All expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) on behalf of defendants shall be served upon counsel for plaintiff not later than **May 15, 2013**. Each such report should be accompanied by the *curriculum vitae* of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **June 28, 2013**.

The parties shall also exchange, in accordance with the foregoing schedule, written statements identifying all opinion testimony counsel and the parties anticipate will be presented at trial pursuant to FED. R. EVID. 701 and *Teen-Ed v. Kimball International, Inc.*, 620 F.2d 399 (3d Cir. 1980).

9. **Dispositive Motions.** Dispositive motions shall be filed with the Clerk of the Court no later than **June 17, 2013**. Opposition to the motion should be served in a timely fashion. Counsel are to follow L. CIV. R. 7.1, 7.2, 56.1 and 78.1 (Motion Practice - Generally).

10. Any application for an extension of time beyond the deadlines set herein shall be made in writing to the undersigned and served upon all counsel prior to expiration of the period sought to be extended, and shall disclose in the application all such extensions previously obtained, the precise reasons necessitating the application showing good cause under FED. R. CIV. P. 16(b), and whether adversary counsel agree with the application. The schedule set herein will not be extended unless good cause is shown.

THE FAILURE OF A PARTY OR ATTORNEY TO OBEY THIS ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS UNDER FED. R. CIV. P. 16(f).

s/ Ann Marie Donio
ANN MARIE DONIO
United States Magistrate Judge

cc: Hon. Renée Marie Bumb